UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

APR 15 2016

8ENF-AT

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jennifer Shea, EHS Representative
Kerr McGee Gathering, LLC
P.O. Box 173779
Denver, Colorado 80217

Re: Section 114(a) Request for Information for the Kerr McGee Gathering, LLC Fort Lupton Complex Gas Plants (Fort Lupton Gas Plant, Platte Valley Gas Plant, and Lancaster Gas Plant) in Fort Lupton, Colorado

Dear Ms. Shea:

The EPA has evaluated the Leak Detection and Repair (LDAR) database(s) provided by Kerr McGee Gathering, LLC (Kerr McGee) in response to the EPA's September 16, 2015 request for information under Section 114 of the Clean Air Act (CAA). Pursuant to the authority under Section 114 of the CAA, the EPA is seeking additional information so that a determination can be made as to whether Kerr McGee has been, and is, complying with the applicable LDAR requirements.

Pursuant to section 114(a) of the CAA, 42 U.S.C. § 7414(a), the Administrator of the EPA is authorized to require any person who owns or operates an emissions source to establish and maintain records, make reports, sample emissions (in accordance with the procedures and methods that the Administrator shall prescribe) and provide such other information as she may reasonably require for the purposes of determining whether such person is in violation of any provision of the CAA. This authority has been delegated to the undersigned official. In order for the EPA to determine whether a violation of the CAA has occurred, you are hereby required, pursuant to section 114(a) of the CAA, to provide responses to the following Request for Information regarding the facilities listed above. Accordingly, within thirty (30) calendar days from receipt of this Request for Information, you must provide responses to the requests in Enclosure 2. See the Instructions and Definitions in Enclosure 1 and the Information Requested in Enclosure 2.

You are required to attach a properly executed Statement of Certification (Enclosure 3) to your response to this Request for Information. Enclosure 3 must be signed and dated by an individual who is authorized by Kerr McGee to respond to this Request for Information. You are under an obligation to preserve all documents requested in this letter until you receive further instructions from the EPA.

Failure to provide the required information is a violation of the CAA and may result in one or more of the following actions: 1) issuance of an administrative penalty order pursuant to section 113(d) of the CAA, 42 U.S.C. § 7413(d); 2) issuance of an order requiring compliance with this Request for Information; 3) the initiation of a civil action pursuant to section 113(b) of the CAA, 42 U.S.C.

§ 7413(b); and/or 4) any other action authorized under the CAA. In addition, knowingly providing false information in response to this Request for Information may be actionable under section 113(c) of the CAA, 42 U.S.C. § 7413(c), and 18 U.S.C. §§ 1001 and 1341. The information you provide may be used by the EPA in administrative, civil, and criminal proceedings.

Under section 114(c) of the CAA, 42 U.S.C. § 7414(c), and pursuant to regulations at 40 C.F.R. Part 2, including 40 C.F.R. § 2.301, you are entitled to claim as confidential any information you provide to the EPA which involves trade secrets and is regarded as confidential business information by you. For such information, you may request that the EPA treat such information as confidential. Any such claim for confidentiality must conform to the requirements of 40 C.F.R. § 2.203(b). *Note that emissions information is not considered confidential under section 114(c).* For detailed instructions, please see Enclosure 4 to this letter. Information you supply will be treated as confidential business information to the degree determined to be appropriate according to the regulations. If you fail to furnish a business confidentiality claim with your response to this Request for Information, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

YOU MUST SUBMIT ALL RESPONSIVE INFORMATION: ***Whether or not you make a claim of confidentiality.***

Please submit your response to this Request for Information to:

U.S. Environmental Protection Agency, Region 8
Technical Enforcement Program (8ENF-AT)
Office of Enforcement, Compliance and Environmental Justice
1595 Wynkoop Street
Denver, Colorado 80202-1129
Attention: Joseph Wilwerding

If you have any questions regarding this Request for Information, please contact Joseph Wilwerding at 303-312-6729, or your counsel may contact Jessica Portmess, at 303-312-7026.

Sincerely,

Suzanne J. Bohan
Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice

Enclosures:

1) Instructions and Definitions
2) Information Requested
3) Statement of Certification
4) Confidential Business Information Instructions
5) Gas Plant Microsoft Excel Workbook Files (May Contain Confidential Business Information)

cc: Shannon McMillan, Colorado Department of Public Health and Environment
Greg Fried, EPA Office of Enforcement and Compliance Assurance

ENCLOSURE 1

A. INSTRUCTIONS

Based on the information contained in the LDAR database, the EPA has compiled, for each plant, a Microsoft Excel workbook of the instances of possible noncompliance identified. Electronic copies of the Microsoft Excel workbooks are enclosed with this Section 114 Request as Enclosure 5. Each workbook contains worksheet Tabs corresponding to specific questions in Enclosure 2 of this Section 114 Request.

Generally, in this Section 114 Request, the EPA requests that Kerr McGee provide information that demonstrates compliance was achieved with applicable LDAR standards. For each instance of potential noncompliance identified in Enclosure 5, the EPA requests that Kerr McGee annotate the Excel workbook, describing, if applicable, how Kerr McGee achieved compliance in the listed instance, and include any supporting documentation that demonstrates compliance was achieved.

Specifically, the EPA requests that Kerr McGee annotate the columns titled "Response" and "Documentation Reference" for each instance of potential noncompliance identified in Enclosure 5. Requested annotations to the "Response" columns are listed under each question in Enclosure 2. Under the "Documentation Reference" column, provide a reference to the supporting information submitted (for example, "LDAR program records located at Lancaster\Documentation\Tab2\ComponentID-12851"). If any of the supporting information has been previously submitted to the EPA in its entirety, Kerr McGee has the option of resubmitting the information or identifying the previous submission and certifying that the previously-submitted information is true, accurate and complete in accordance with Enclosure 3. If all supporting information was provided in LDAR database files submitted to the EPA in response to the September 2015 Request for Information, EPA requests Kerr McGee state which specific tables within the database contain the supporting information. The EPA requests that supporting documentation be provided in separate files in Portable Document Format (*.pdf) format, unless otherwise specified in Enclosure 2.

Further guidance on information requested by the EPA is provided under each question in Enclosure 2.

B. DEFINITIONS

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the CAA, other CAA implementing regulations (e.g. Subpart HH, Subpart VV, Subpart VVa, Subpart KKK, or Subpart OOOO), or otherwise defined herein, in which case use the definition in the CAA, the regulations, or those contained herein.

1. The term "**Act**" or "**CAA**" shall mean the Clean Air Act, 42 U.S.C. §§ 7401 et seq.

2. The term "**affected facility**" shall mean, with reference to a stationary source, any apparatus to which a standard is applicable under the new source performance standards (NSPS) including, for example, Subparts KKK, NNN, RRR, or OOOO.

3. The term "**difficult-to-monitor**" shall mean equipment cannot be monitored without elevating

the monitoring personnel more than 2 meters above a support surface.

4. The term "**delay of repair**" shall mean use of provisions under §§ 60.482-9 or §§ 60.482a-9 to exempt leaking equipment from the requirement to repair within 15 days of identification of a leak.

5. The term "**drill and tap repair**" or "**drill and tap repair method**" shall mean a process by which injectable packing or sealant material is injected through an adapter into the stuffing box of a valve. The injectable packing/sealant can replace lost packing material and stop a leak. The valve does not need to be disassembled or taken out of service before the procedure is performed. To affix the adapter to the stuffing box of the valve, a hole is drilled into the stuffing box and tapped with threads, and the adapter is screwed into place.

6. The term "**EPA**" shall mean the United States Environmental Protection Agency.

7. The term "**equipment**" shall mean each pump, pressure relief device, open-ended valve or line, valve, compressor, sampling connection system, and flange or other connector that is in VOC service, VHAP service, or wet gas service.

8. The term "**first attempt at repair**" shall mean to take action for the purpose of stopping or reducing leakage of organic material to the atmosphere using best practices.

9. The term "**hazardous air pollutant (HAP)**" shall mean any air pollutant listed in or pursuant to section 112(b) of the CAA.

10. The term "**in volatile organic compound (VOC) service**" shall mean that the piece of equipment contains or contacts a process fluid that is at least 10 percent VOC by weight. (The provisions of 40 C.F.R. §§ 60.485(d) or 60.485a(d) specify how to determine that a piece of equipment is not in VOC service.)

11. The term "**in volatile hazardous air pollutant (VHAP) service**" shall mean that a piece of equipment or compressor either contains or contacts a fluid (liquid or gas) which has a total VHAP concentration equal to or greater than 10 percent by weight as determined according to the provisions of 40 C.F.R. § 63.772(a).

12. The term "**in wet gas service**" shall mean that a piece of equipment contains or contacts the field gas before the extraction step in the process.

13. The term "**LDAR**" shall mean leak detection and repair.

14. The term "**method 21**" shall mean the Test Method for Determination of volatile organic compound leaks at Appendix A-7 to 40 C.F.R. Part 60.

15. The term "**NSPS capital expenditure calculations**" shall mean any calculations performed to determine whether there has been an expenditure for a physical or operational change to an existing facility, as provided under Subpart OOOO, Subpart KKK, Subpart VV, and Subpart VVa.

16. The term "**process unit**" or "**process units**" shall mean equipment assembled for the extraction of natural gas liquids from field gas, the fractionation of the liquids into natural gas products, or other operations associated with the processing of natural gas products. A process unit can operate independently if supplied with sufficient feed or raw materials and sufficient storage facilities for the products.

17. The term "**process unit shutdown**" shall mean a work practice or operational procedure that stops production from a process unit or part of a process unit during which it is technically feasible to clear process material from a process unit or part of a process unit consistent with safety constraints and during which repairs can be accomplished. The following are not considered process unit shutdowns:

    (1) An unscheduled work practice or operational procedure that stops production from a process unit or part of a process unit for less than 24 hours.
    (2) An unscheduled work practice or operational procedure that would stop production from a process unit or part of a process unit for a shorter period of time than would be required to clear the process unit or part of the process unit of materials and start up the unit, and would result in greater emissions than delay of repair of leaking components until the next scheduled process unit shutdown.
    (3) The use of spare equipment and technically feasible bypassing of equipment without stopping production.

18. The term "**replacement cost**" shall mean the capital needed to purchase all the depreciable components in a facility.

19. The term "**Subpart HH**" shall mean the National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities, 40 C.F.R. §§ 63.760 et seq.

20. The term "**Subpart KKK**" shall mean the Standards of Performance for Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011, 40 C.F.R. §§ 60.630 et seq.

21. The term "**Subpart OOOO**" shall mean the Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution, 40 C.F.R. §§ 60.5360 et seq.

22. The term "**Subpart VV**" shall mean the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006, 40 C.F.R. §§ 60.480 et seq.

23. The term "**Subpart VVa**" shall mean the Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006, 40 C.F.R. §§ 60.480a et seq.

24. The term "**volatile organic compounds (VOC)**" shall mean, for the purposes of Subparts KKK and OOOO, any reactive organic compounds as defined in 40 C.F.R. § 60.2 Definitions.

25. The term "**volatile hazardous air pollutant (VHAP) concentration**" shall mean the fraction by weight of all hazardous air pollutants (HAP) contained in a material as determined in accordance with procedures specified in §63.772(a).

ENCLOSURE 2

INFORMATION REQUESTED:

1. **First Attempt At Repair** (Excel workbook Tabs 1 and 2)

    a. Tab 1 entries are instances in which information could not be identified that indicates a **first attempt at repair** was performed within 5 days of identification of the leak, as required by 40 C.F.R. §§ 60.482-2 through 60.482-8, 60.482-2a through 60.482-8a, 60.482-11a, or 61.242-2 through 61.242-8. Provide a justification/response and supporting documentation indicating how compliance with repair attempt requirements was achieved (for example, "Repair attempt performed by XX person using XX repair method within XX days of leak identification").

    b. Tab 2 entries are instances in which **equipment** received only evaluation, additional monitoring, or cleaning within the 5-day **first attempt at repair** period. *Entries listed in Tab 2 constitute between 25 and 31 percent of the total leaks identified by Kerr McGee at each site during the five years prior to January 1, 2016.* Provide a justification/response and supporting documentation indicating how the activity performed constituted a best practice for "stopping or reducing leakage of organic material to the atmosphere."

2. Final Repairs or Placement on Delay of Repair (DOR) (Excel workbook Tab 3)

    a. Tab 3 entries are instances in which information could not be identified that indicates final repair was performed within 15 days of identification of the leak, as required by 40 C.F.R. §§ 60.482-2 through 60.482-8, 60.482-2a through 60.482-8a, 60.482-11a, or 61.242-2 through 61.242-8, or that repairs were exempted under applicable delay of repair provisions under 40 C.F.R. §§ 60.482-9, 60.482-9a, or 61.242-10. Provide a justification/response and supporting documentation indicating how compliance with repair requirements was achieved (for example, "Repair performed by XX person on XX date, and re-monitoring performed by XX person within XX days of leak identification").

3. Periodic Monitoring for Valves and Pumps (Excel workbook Tab 4)

    a. Tab 4 entries are instances in which information could not be identified that indicates **equipment** was monitored during the appropriate monthly or quarterly period, as required by 40 C.F.R. §§ 60.482-2, 60.482-7, 60.482-2a, 60.482-7a, 61.242-2, or 61.242-7. For each entry in Tab 4, provide a justification/response and supporting documentation indicating how compliance with applicable monitoring requirements was achieved (for example, "Monitoring performed by XX person on XX date with monitoring reading of XX ppm").

4. New **LDAR** Program **Equipment** (Excel workbook Tab 5)

    a. Tab 5 entries are counts of **equipment** that were added to (and/or removed from) **process units** under the **LDAR** program during one or more calendar quarters evaluated. For each quarter and **process unit** identified in Tab 5 with a *net increase* in **equipment** added to

the **LDAR** program, state, under the Response column, whether the **equipment** added during the quarter was "Existing **equipment** newly added to the **LDAR** program," "Newly installed **equipment** added to the **LDAR** program," or "New and existing **equipment** newly added to the **LDAR** program." Provide supporting information that documents/demonstrates the following:

i. For existing **equipment** newly added to the **LDAR** program during that quarter:
   1. The date the added **equipment** was physically installed in the **process unit** and a count of each type of **equipment** (e.g., valve, pump, connector) installed on that date, and
   2. The date the added **equipment** was placed **in volatile organic compound (VOC) service,** placed **in volatile hazardous air pollutant (VHAP) service,** or placed **in wet gas service** in the **process unit**, and a count of each type of **equipment** (e.g., valve, pump, connector) placed into service on that date.

ii. For newly installed equipment added to the **LDAR** program, **NSPS capital expenditure calculations** information for the **process unit** showing:
   1. The cost and **LDAR** identification number of each piece of **equipment** added;
   2. The **replacement cost** of the **affected facility** where the **equipment** was added;
   3. Year of construction for the **process unit**; and
   4. The capital expenditure calculation, provided in an editable Excel spreadsheet.

5. **LDAR** Program Unit/**Equipment** Re-designations (Excel workbook Tab 6)

   a. Tab 6 entries show counts of **equipment** reported by Kerr McGee for **process units** under the **LDAR** program during semiannual periods in 2012 and 2015. Based on the semiannual report information, the number of **LDAR** program components increased between 2012 and 2015. As shown in Tab 6, the number of valves at the Fort Lupton plant increased from 3,669 to 6,915 components. Kerr McGee also revised the **process unit** names during this time period. For each piece of **equipment** in the **process units** listed in Tab 6, provide, under the appropriate column in Tab 6, the following information:

      i. The **LDAR** identification number used during 2012, if the **equipment** existed in 2012;
      ii. The name of the **process unit** to which the **equipment** belonged in 2012, if the **equipment** existed in 2012;
      iii. The **LDAR** identification number used during 2015, if the **equipment** existed in 2015;
      iv. The name of the **process unit** to which the **equipment** belonged in 2015, if the **equipment** existed in 2015; and
      v. The type, subtype, size, and location description of the **equipment**.

6. Chemical Speciation Information (Excel workbook Tab 7)

    a. For each of the process streams associated with **equipment** in the facility **LDAR** program, provide the **VHAP concentration** of the process stream and the chemical composition (percentage contribution of each chemical) in weight percent in the stream.

7. MACT Major Source Designation

    a. State whether the Kerr McGee Ft Lupton complex is currently a major or area source under **Subpart HH**, and provide the date and reason for all changes in **Subpart HH** source designation which occurred from 1999 until the present.

8. **Delay of Repair** Exemption and Justification (Excel workbook Tabs 9 and 10)

    a. Tab 9 entries are instances in which control valves and pumps were placed on **delay of repair** [40 C.F.R. §§ 60.482-9, 60.482-9a, or 61.242-10] for repair at the next **process unit shutdown**, and continued to leak beyond the 15-day repair requirement. For each entry in Tab 9, state, under the Response column, whether piping and/or **equipment** existed at the plant that would have allowed the leaking **equipment** to be bypassed and removed from service for repair (for example, "No spare pump existed to allow leaking pump to be bypassed"). Provide supporting information, such as process and instrumentation diagrams showing the location of the leaking **equipment** and surrounding piping/**equipment**, which demonstrates no bypass piping and/or **equipment** existed.

    b. Tab 10 entries are instances in which equipment was placed on **delay of repair** [40 C.F.R. §§ 60.482-9, 60.482-9a, or 61.242-10], when repairs may have been technically feasible without a **process unit shutdown**.

        i. For each entry in Tab 10 in which Kerr McGee used "waiting on parts" as the justification for repair delay, state, under the Response column, whether the **equipment** would have been technically feasible to repair if parts had been sufficiently stocked. If the **equipment** was still technically infeasible to repair without a **process unit shutdown**, provide a supporting information which demonstrates the repair was still technically-infeasible.

        ii. For each entry in Tab 10 in which Kerr McGee used "cannot safely isolate" as the justification for repair delay, state whether isolating the **equipment** was the only repair option, or if the **equipment** could have been repaired with online repair techniques. If the **equipment** could not be repaired using online repair techniques, provide supporting information which identifies the repair techniques considered, the repair specialists/contractors consulted on the repair, and justification for why each repair technique considered was deemed not to be technically feasible.

9. Drill and Tap Repairs

a. State, for the facilities below, if Kerr McGee or its contractors have used **the drill and tap repair method** on any valve or component in steam, hydrocarbon, or other product service at the facility in the 5 years prior to this request.

i. The Fort Lupton Gas Plant;
ii. The Platte Valley Gas Plant; and
iii. The Lancaster Gas Plant

b. If you answered "yes" with regard to any facility referenced in question 9.a., please provide the following, by facility:

i. The date the **drill and tap repair** was performed;
ii. The name of the company, contractor, and individual(s) that performed the **drill and tap repair**;
iii. The type of valve or **equipment** on which the **drill and tap repair method** was performed;
iv. The type of product or material service for the valve or **equipment** where the **drill and tap repair** was performed (hydrocarbon, steam, etc);
v. The cost billed for the **drill and tap repair** if performed by a contractor; and
vi. Information provided by the **equipment** manufacturer stating the **drill and tap repair** had invalidated product warranties for the **equipment** which received the repair.

c. If you answered "no" with regard to any facility referenced in question 9.a., please provide the following, by facility:

i. Copies of all communications with **drill and tap repair** service providers about performing **drill and tap repairs** at the facility;
ii. The reason, if a **drill and tap repair** service provider was consulted on a repair, why the **drill and tap repair** was not performed; and
iii. The title and level of the facility position at which the decision was ultimately made not to perform the **drill and tap repair.**

d. Provide any written company policies or guidance created by Kerr McGee regarding use or implementation of the **drill and tap repair method** in the last 5 years, and the date the policy or guidance was created.

e. State whether Kerr McGee has any actual knowledge of a **drill and tap repair** performed at a natural gas processing plant that caused and/or was a factor in a safety-related incident at the facility.

f. If you answered question 9.e. in the affirmative, provide the basis of Kerr McGee's knowledge and a detailed explanation of the safety-related incident that resulted from the use of the **drill and tap repair method**. Please include the name of the facility where the

incident occurred, and the information requested under questions 9(b)(i) through 9(b)(iv) for the **drill and tap repair**.

10. Monitoring for Connectors (Excel workbook Tab 11)

    a. Tab 11 entries are instances in which information could not be identified which indicates connectors were monitored within 12 months of initial startup of the process unit, or within 12 months of determining the connector leak percentage for the process unit exceeded 0.5%, as required by 40 C.F.R. § 60.482-11a. For each entry in Tab 11, provide a justification/response and supporting documentation indicating how compliance with applicable monitoring frequency requirements was achieved.

11. Initial Monitoring to Demonstrate Non-Leak Performance for Valves (Excel workbook Tab 12)

    a. Tab 12 entries are instances in which information could not be identified that indicates the valve was monitored monthly—after being placed into service—unless the valve was shown not to leak above applicable thresholds for two consecutive months, as required by 40 C.F.R. §§ 60.482-7(a)(1), 60.482-7a(a)(1), or 61.242-7(a). For each entry in Tab 12, provide a justification/response documenting the date the valve was placed into service, and the date of each monitoring event and the monitoring result until the valve was shown not to leak above applicable thresholds for two consecutive months. Provide supporting information that demonstrates that the monitoring activity was performed as required, considering also EPA's applicability determination Number 1200052, dated October, 28, 2011 and titled "Request for Clarification of Initial Monitoring Requirement for Pumps and Valves."

12. Initial Monitoring for Valves and Pumps Within 30 Days (Excel workbook Tab 13)

    a. Tab 13 entries are instances in which information could not be identified which indicates **equipment** was monitored within 30 days of being placed into service, as required by 40 C.F.R. §§ 60.482-2(a)(1), 60.482-7(a)(2)(i), 60.482-2a(a)(1), or 60.482-7a(a)(2)(i) and considering also EPA's applicability determination Number 1200052, dated October 28, 2011 and titled "Request for Clarification of Initial Monitoring Requirement for Pumps and Valves." For each entry in Tab 13, provide a justification/response documenting the number of days after being placed into service the **equipment** was monitored, and the date of initial monitoring (for example, "28 days, 3/15/2014"). Provide supporting information that demonstrates that the monitoring activity was performed as required.

13. Follow-Up Monitoring for Leaking Valves (Excel workbook Tab 14)

    a. Tab 14 entries are instances in which information could not be identified that indicates the valve was monitored monthly—after being found leaking above applicable leak definitions—until the **equipment** was shown not to leak for two consecutive months, as required by 40 C.F.R. §§ 60.482-7(c)(2), 60.482-7a(c)(2), or 61.242-7(c)(2). For each entry in Tab 14, provide a justification/response and supporting documentation indicating the date of each monitoring event and the monitoring result until the component was

shown not to leak above applicable thresholds for two consecutive months.

14. **Delay of Repair Equipment** Not Repaired at Next Reported **Process Unit Shutdown** (Excel workbook Tab 15)

    a. Tab 15 entries are instances in which leaking **equipment** placed on **delay of repair** was not repaired at the next reported **process unit shutdown**. **Equipment** may be listed in Tab 15 for the following reasons:

        - The **equipment** was repaired at the next **process unit shutdown**, but using a repair type that was technically feasible without a **process unit shutdown**;
        - The **equipment** was repaired before or after, but not during, the next reported **process unit shutdown**;
        - The **equipment** was repaired, but no **process unit shutdown** was reported;
        - The **equipment** was not repaired during the next reported **process unit shutdown**; or
        - Repair of the **equipment** was attempted at next **process unit shutdown**, but the attempt was ineffective, so the leak was not corrected.

    For each entry in Tab 15, provide a justification/response indicating how compliance with applicable **delay of repair** provisions was achieved. Provide supporting information that demonstrates that repair of the leaking **equipment** was completed as required, including:

        1. The starting date/time and length of duration in hours of each *unscheduled* work practice or operational procedure that stopped production from the **process unit** or part of a **process unit** where the leak was located, from the date the leak occurred until the **equipment** was finally repaired;
        2. The starting date/time and length of duration in hours of each *scheduled* work practice or operational procedure that stopped production from the **process unit** or part of a **process unit** where the leak was located, from the date the leak occurred until the **equipment** was finally repaired;
        3. If the repair could not be performed because the shutdown was unscheduled, occurred for a shorter period of time than was required to clear the **process unit** or part of the **process unit** of materials and to start up the unit, and would have resulted in greater emissions than delay of repair of leaking **equipment** until the next scheduled **process unit shutdown**, provide:
            a. The estimate of the amount of time required to clear the **process unit** or part of the **process unit** of materials and to start up the unit where the leak was located;
            b. The calculations of the emissions that would have resulted from the shutdown required to clear the **process unit** or part of the **process unit** of materials and to start up the unit; and
            c. The calculations of the emissions expected to occur by delaying repair of the leaking **equipment** until the next scheduled **process unit shutdown**;

4. The date of the **process unit shutdown** reported on semiannual reports during which the leak was repaired; and
5. The citation of the specific **delay of repair** provision/exemption invoked to justify delaying repair of the leak until the next **process unit shutdown**.

15. **Method 21** (Excel workbook Tabs 17 and 18)

a. Tab 17 entries are instances in which less than 7 seconds elapsed between the previous inspection and the inspection event identified in Tab 17, for inspections performed by the same inspector/monitoring technician, which may indicate monitoring failures. For each entry in Tab 17, describe how compliance with **Method 21** requirements was achieved, especially as regards to minimum required time needed to inspect all leak interfaces for the size and type/subtype of component being monitored, and the location of the component as compared to the previously inspected component and time required to move between the components.

b. Tab 18 entries are dates/instances, by inspector/monitoring technician, where **Method 21** may not have been performed correctly, based upon length of inspection and/or travel time required to physically move to the component. For each of the monitoring inspections listed in Tab 18, describe how compliance with **Method 21** requirements was achieved, especially as regards to minimum required time needed to inspect all leak interfaces for the size and type/subtype of component being monitored, and the location of the component as compared to the previously inspected component and time required to move between the components.

16. **Difficult-To-Monitor** Exemption and Inspections (Excel workbook Tabs 16 and 19)

a. Tab 16 entries are instances in which greater than 3% of valves in the **process unit** were listed as **difficult-to-monitor equipment** and exempted from monthly and/or quarterly monitoring requirements under 40 C.F.R. §§ 60.482-7(h)(2) or 60.482-7a(h)(2)(ii). For each entry in Tab 16, provide a justification/response indicating how compliance with the **difficult-to-monitor** provisions was achieved. Provide supporting information that shows, for each valve designated as **difficult-to-monitor** in the **process unit**, the date of each monitoring event performed in the 5 years prior to this Information Request, and the monitoring reading from each monitoring event.

b. Tab 19 entries are instances in which information could not be identified that indicates **difficult-to-monitor equipment** was monitored at least annually, as required by 40 C.F.R. §§ 60.482-7(h)(3), 60.482-7a(h)(3), or 61.242-7(h)(3). For each entry in Tab 19, provide a justification/response and supporting documentation indicating how compliance with applicable monitoring requirements was achieved (for example, "Monitoring performed by XX person on XX date with monitoring reading of XX ppm").

ENCLOSURE 3

STATEMENT OF CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations pursuant to section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

_____
(Signature)

_____
(Printed Name)

_____
(Title)

_____
(Date)

ENCLOSURE 4

Confidential Business Information (CBI) Assertion and Substantiation Requirements

You may assert a business confidentiality claim covering all or part of the information you provide in response to this Request for Information for any business information entitled to confidential treatment under section 114(c) of the Clean Air Act (CAA), 42 U.S.C. § 7414, and 40 C.F.R. Part 2, subpart B. Under section 114(c) of the CAA, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means "the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information." See 40 C.F.R. § 2.201(e).

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in section 114(c) of the CAA and 40 C.F.R. Part 2, subpart B. If you fail to furnish a business confidentiality claim with your response to this Request for Information, the EPA will construe your failure as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential" at the time you submit your response to this Request for Information. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e); (2) you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; (3) the information is not and has not been reasonably obtainable by legitimate means without your consent; and (4) the disclosure of the information is likely to cause substantial harm to your business's competitive position. See 40 C.F.R. § 2.208 (a)-(e). Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B. See 42 U.S.C. § 7414(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this Request for Information, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph, and sentence when identifying the information subject to your claim.

2. For what period of time do you request that the information be maintained as confidential, e.g., until

a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you have specified.

3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?

4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?

5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.

6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

Submit your answers to the above questions concurrently with your response to this information request if you have claimed any information as business confidential. See 40 C.F.R. § 2.204(e)(2). Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

Jessica Portmess
U.S. EPA Region 8
1595 Wynkoop Street (ENF-L)
Denver, CO 80202-1129
303-312-7026

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be regarded by the EPA as entitled to confidential treatment if, when it is received by the EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). You may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). See 40 C.F.R. § 2.204(e)(6). Information covered by such a claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the CAA and 40 C.F.R. Part 2. The EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.

ENCLOSURE 5 – MAY CONTAIN CONFIDENTIAL BUSINESS INFORMATION

Electronic copies of the Microsoft Excel workbooks.